



MARINE MAMMAL COMMISSION

23 August 2021

Dr. Polly Penhale
Senior Advisor, Environment
Division of Polar Programs
National Science Foundation
2415 Eisenhower Ave
Alexandria, VA 22314

Dear Dr. Penhale:

On 23 July 2021, the National Science Foundation (NSF) published a notice (86 Fed. Reg. 39081) requesting comments on a permit application from Dr. Luis Huckstadt, University of California Santa Cruz. Dr. Huckstadt is seeking authorization under the Antarctic Conservation Act (the ACA) to conduct research on crabeater seals in Antarctica during a three-year period. The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the permit request with regard to the goals, policies, and requirements of the Marine Mammal Protection Act (the MMPA) and the ACA.

The purpose of the research is to investigate the response of crabeater seals to sea-ice loss. Researchers would harass, observe, photograph/videotape¹, capture, handle, restrain, sedate, weigh/measure, mark/tag, sample², conduct procedures on³ and instrument numerous adults of either sex each year (see the take table for specifics). The proposed research activities would be authorized under research permit 25770 that has yet to be issued by the National Marine Fisheries Service (NMFS).

In his application, Dr. Huckstadt requested to capture, sedate, and process 40 adult seals and, even though he did not request mortality takes, the Commission understands that NSF will include four mortality takes in the final ACA permit. Dr. Daniel Costa, who would also work under NMFS permit 25770, already has his own ACA permit for research on crabeater seals, which authorizes direct, incidental and mortality takes of animals. NSF indicated that it would condition Dr. Huckstadt's permit to require him to coordinate daily with Dr. Costa to ensure they do not exceed cumulatively the takes that would be authorized under permit 25770. The Commission supports inclusion of this condition in Dr. Huckstadt's ACA permit but notes that Dr. Costa's ACA permit should also be amended to include this condition.

As such, the Commission recommends that NSF issue the ACA permit, contingent on (1) issuance of permit 25770 by NMFS that would authorize Dr. Huckstadt's proposed activities, and (2) inclusion of the aforementioned four mortality takes and permit condition. The Commission further recommends that NSF amend Dr. Costa's ACA permit 2021-009 and condition it such that

¹ Including with unmanned aircraft systems.

² Including import of samples.

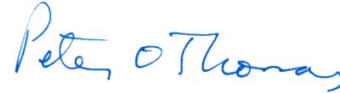
³ Including ultrasound.

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Dr. Costa be required to coordinate daily with Dr. Huckstadt to ensure cumulative takes do not exceed those to be authorized under permit 25770.

Kindly contact me if you have any questions concerning the Commission's recommendations.

Sincerely,



Peter O. Thomas, Ph.D.
Executive Director

cc: Ms. Amy Sloan, NMFS